

Dad M. c/s

UNITED STATES DISTRICT COURT
for the
Western District of Oklahoma

In the Matter of the Search of
(Briefly describe the property to be searched
or identify the person by name and address)
A black Samsung flip phone, model SM-B311V,
with MEID HEX # A00000476BF075

Case No. MJ-18-

26

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FILED
JAN 12 2018
CARMELITA REEDER SHINN, CLERK
U.S. DIST. COURT, WESTERN DIST. OKLA.
BY *JM* DEPUTY

APPLICATION FOR A SEARCH WARRANT

I, a federal law enforcement officer or an attorney for the government, request a search warrant and state under penalty of perjury that I have reason to believe that on the following person or property (identify the person or describe the property to be searched and give its location):

See Attachment A, which is incorporated by reference herein.

located in the Western District of Oklahoma, there is now concealed (identify the person or describe the property to be seized):

See Attachment B, which is incorporated by reference herein.

The basis for the search under Fed. R. Crim. P. 41(c) is (check one or more):

- evidence of a crime;
- contraband, fruits of crime, or other items illegally possessed;
- property designed for use, intended for use, or used in committing a crime;
- a person to be arrested or a person who is unlawfully restrained.

The search is related to a violation of:

<i>Code Section</i>	<i>Offense Description</i>
21 U.S.C. § 841(a)(1)	Possession with Intent to Distribute a Controlled Substance

The application is based on these facts:
See attached Affidavit, which is incorporated by reference herein.

- Continued on the attached sheet.
- Delayed notice of _____ days (give exact ending date if more than 30 days: _____) is requested under 18 U.S.C. § 3103a, the basis of which is set forth on the attached sheet.



Applicant's signature

Joshua Rich, Special Agent, FBI

Printed name and title

Sworn to before me and signed in my presence.

Date: Jan. 12, 2018

City and state: Oklahoma City, Oklahoma



Judge's signature

SHON T. ERWIN, U.S. Magistrate Judge

Printed name and title

ATTACHMENT A

DESCRIPTION OF DEVICE TO BE SEARCHED

A black Samsung flip phone, model SM-B311V, with MEID HEX # A00000476BF075. Photos of the phone are below:





ATTACHMENT B

LIST OF ITEMS TO BE SEIZED

Electronically stored information including, but not limited to: the phone directory and/or contacts list, calendar, text messages, chat messages, multi-media messages, e-mail messages, call logs, photographs, videos and data files.

**THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF OKLAHOMA**

**STATE OF OKLAHOMA)
)
COUNTY OF OKLAHOMA)**

AFFIDAVIT IN SUPPORT OF SEARCH WARRANT

I, Joshua Rich, a Special Agent with the Federal Bureau of Investigation (FBI), Oklahoma City, Oklahoma, being duly sworn, depose and state as follows:

1. I am a Special Agent (SA) of the Federal Bureau of Investigation (FBI), United States Department of Justice since July 2014. As a Special Agent, I am an investigative law enforcement officer of the United States of America within the meaning of 21 U.S.C. § 878, that is, an officer of the United States who is empowered by law to conduct investigations of and to make arrests for offenses enumerated in 21 U.S.C. § 878. I have specific training and experience in numerous methods of investigation, including, but not limited to, electronic and visual surveillance, general questioning of witnesses, the use of search warrants, the use of confidential sources/informants, the use of pen registers, and the use of undercover agents. Based on my training and experience relating to the investigation of drug traffickers, and based upon interviews I have conducted with other officers, defendants, informants, and



other witnesses and participants in drug trafficking activity, I am familiar with the ways that drug traffickers conduct their business. My familiarity includes the various means and methods by which drug traffickers import and distribute drugs, their use of cellular telephones, their use of vehicles, and their use of numerical codes and code words to conduct drug transactions. I am also familiar with the ways that drug traffickers conceal, convert, transmit and transport their drug proceeds, including, but not limited to, the use of couriers and vehicles to transport currency and proceeds, and the use of third parties to purchase or hold title to assets.

2. I am familiar with the facts and circumstances of this investigation as a result of my personal participation in the investigation referred to in this affidavit and information summarized in reports I have reviewed. I have compiled information derived from numerous discussions with experienced law enforcement officers, including Special Agents of the FBI and other State and Local law enforcement officers.

3. I am investigating **Tyrone Leroy Outley (OUTLEY)** for violations of 21 U.S.C. §§ 841(a)(1) (Unlawful Possession with Intent to Distribute of a Controlled Substance). I am submitting this Affidavit in support of a search warrant authorizing a search of a cell phone—(1) a **black Samsung flip phone, model SM-B311V, with MEID HEX # A00000476BF075**, as further described in **Attachment A**, which is

incorporated into this Affidavit by reference. The Oklahoma City Police Department has custody of the **SUBJECT DEVICE** in Oklahoma City, Oklahoma. I am submitting this Affidavit in support of a search warrant authorizing a search of the **SUBJECT DEVICE** for the item specified in **Attachment B** hereto, wherever they may be found, and to seize all items in **Attachment B** as instrumentalities, fruits, and evidence of the aforementioned crimes.

4. Since this Affidavit is being submitted for the limited purpose of securing a search warrant, I have not included each and every fact known to me regarding this investigation. I have set forth only the facts that I believe are necessary to establish probable cause to support the issuance of a search warrant. The information contained in this Affidavit is based upon my personal knowledge and observation, my training and experience, conversations with other law enforcement officers and witnesses, and review of documents and records.

BACKGROUND OF INVESTIGATION

5. On February 20, 2017, at approximately 9:19 pm, Oklahoma City Police Department Officer Josh Castlebury stopped a silver Buick Regal bearing Oklahoma plate 819DZY for a traffic violation. The traffic stop was initiated at 3238 NW 26th Street in Oklahoma City, Oklahoma, within the Western District of Oklahoma. **OUTLEY** was later identified as the

passenger of the vehicle, while Clayton Banks, was the driver. Both **OUTLEY** and Banks fled on foot, jumping over a residential fence. Banks was apprehended, but **OUTLEY** was not. Banks later identified his passenger as “JT” and “Little Law,” known aliases of **OUTLEY**. The stop lead to a search of the vehicle and the area near the fence where Banks and **OUTLEY** fled. The search of the area where **OUTLEY** fled resulted in the seizure of 8.92 grams of off-white, rock-like substance that field tested positive for cocaine, a Taurus PT709 9mm handgun, and a Kahr 9mm handgun. The **SUBJECT DEVICE** was found in the front passenger seat of the Buick Regal, which Banks said belonged to **OUTLEY**. Banks told investigators that “JT” had two “zips” of crack cocaine and two firearms on him when Banks picked him up in his car. A “zip” is a common slang term for an ounce, or roughly 28 grams. Banks thought that this was why **OUTLEY** fled police. Two weeks after this incident, on March 15, 2017, **OUTLEY** was arrested nearby during another traffic stop, on NW 20th Street, with in excess of 120 grams of crack cocaine and a firearm. Based on my training and experience, such large quantities of crack cocaine indicate that the drugs were intended for redistribution.

10. Based upon my training and experience, I am aware that individuals involved in trafficking illegal narcotics often use cell phones to maintain contact with other co-conspirators, including suppliers, transporters,

distributors, and purchasers of illegal narcotics. Such cell phones and their associated memory cards commonly contain electronically stored information which constitutes evidence, fruits, and instrumentalities of drug trafficking offenses including, but not limited to, the phone directory and/or contacts list, calendar, text messages, e-mail messages, call logs, photographs, and videos. Consequently, individuals involved in drug trafficking with these individuals will likely contain evidence of such illegalities on their cellular phones.

CONCLUSION

12. Based on the above information, there is probable cause to believe that violations of 21 U.S.C. §§ 841(a)(1), and that evidence, fruits, and instrumentalities of these offenses are located on the **SUBJECT DEVICE**. Therefore, I respectfully request that this Court issue a search warrant for the **SUBJECT DEVICE**, described in **Attachment A**, authorizing the seizure of the items described in **Attachment B**.



JOSHUA RICH
Special Agent
Federal Bureau of Investigation

SUBSCRIBED AND SWORN to before me this 12th day of January,
2018.



SHON T. ERWIN
United States Magistrate Judge

ATTACHMENT A

DESCRIPTION OF DEVICE TO BE SEARCHED

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ATTACHMENT B

LIST OF ITEMS TO BE SEIZED

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